

OAKLAND CITY COUNCIL

2013 AUG -8 PM 4:45

RESOLUTION No. 84593 C.M.S.

Introduced by Councilmember _____

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO:

- 1) **ACCEPT, APPROPRIATE, AND ADMINISTER UP TO TWO MILLION DOLLARS (\$2,000,000) OF AMERICAN RECOVERY AND REINVESTMENT ACT (ARRA) SUPPLEMENTAL PORT SECURITY GRANT FUNDS FOR (PSGP) FISCAL YEARS 2009 AND 2010 SUPPLEMENTAL FOR PHASE 2 OF THE JOINT PORT OF OAKLAND/CITY DOMAIN AWARENESS CENTER (DAC) PROJECT; AND**
- 2) **ENTER INTO A MEMORANDUM OF UNDERSTANDING AND GRANT ADMINISTRATION AGREEMENT WITH THE PORT OF OAKLAND TO DISTRIBUTE AND EXPEND SAID FUNDS FOR PHASE 2 OF THE SYSTEM ENHANCEMENTS AND INTEGRATION OF THE DAC PROJECT; AND**
- 3) **APPROVE THE CITY OF OAKLAND'S PRELIMINARY SPENDING PLAN FOR FISCAL YEARS 2009 AND 2010 PSGP GRANT FUNDS AND TO ADMINISTER AND EXPEND THE SUPPLEMENTAL PSGP FUNDS IN ACCORDANCE WITH THE PRELIMINARY SPENDING PLAN AND THE PROPOSED GRANT ADMINISTRATION AGREEMENT; AND**
- 4) **AMEND THE CITY'S 2013 CONTRACT WITH SCIENCE APPLICATIONS INTERNATIONAL CORPORATION (SAIC) BY INCREASING THE AMOUNT TO BE PAID UP TO TWO MILLION DOLLARS FOR COMPLETION OF PHASE 2 OF THE DAC PROJECT WORK, BRINGING THE TOTAL CONTRACT AMOUNT AUTHORIZED TO FOUR MILLION NINE HUNDRED THOUSAND DOLLARS (\$4,900,000); AND WAIVING THE COMPETITIVE REQUEST FOR PROPOSAL/QUALIFICATIONS (RFP/Q) AND THE ADVERTISING AND BIDDING REQUIREMENTS, FOR THE PROPOSED CONTRACT AMENDMENT WITH SCIENCE APPLICATIONS INTERNATIONAL CORPORATION (SAIC)**

WHEREAS, Congress and the Obama Administration intended the Port Security Grant Program (PSGP) to be one of the tools in a comprehensive set of measures to strengthen the Nation's critical infrastructure against risks associated with potential terrorist attacks; and

WHEREAS, the Port of Oakland submitted PSGP grant proposals to jointly develop, establish and operate a City/Port Domain Awareness Center (DAC) utilizing the City of Oakland Emergency Operations Center (EOC) to consolidate a network of existing surveillance and security sensor data to actively monitor critical Port facilities, utility infrastructure, City facilities and roadways; and

WHEREAS, in March 2013, pursuant to Council authorization by Resolution 82933, the City of Oakland entered into a Professional Services Agreement with Science Applications International Corporation (SAIC) for Phase 1 of the Domain Awareness Center which included the Design/Build phase and the beginning of key public safety and surveillance systems integration between City and Port of Oakland; and

WHEREAS, on May 23, 2013, the Port of Oakland Board of Directors approved a resolution for the Port of Oakland to enter into a Memorandum of Understanding and Grant Administration Agreement to provide up to two million dollars (\$2,000,000) of supplemental FY09 and FY10 PSGP grant funding with the City of Oakland to further expand the development of the City/Port Domain Awareness Center (DAC) and embark upon Phase 2 of the expansion of the systems integration as well as equipment/system enhancements; and

WHEREAS, the City seeks to utilize these additional funds to complete Phase 2 of the Domain Awareness Center (Phase 2); and

WHEREAS, the City's current contract with SAIC must be amended to include the Phase 2 work, which consists of, but is not limited to, additional enhancements to the Emergency Operations Center, additional systems' integration such as the Port Geographic Information Systems (GIS) and other key City Public Safety Information Technology systems for an amount of services and equipment because Phase 2 is not part of the current scope of work for the March 2013 Agreement with SAIC; and

WHEREAS, the City wants to ensure that, insofar as it could result in the collection or retention of information about Oakland residents who have not engaged in any wrongdoing, the City develops and adopts appropriate safeguards, procedures, policies and implementation plans (hereafter referred to as "Privacy and Data Retention Policy") to protect the privacy rights of individuals and ensure public confidence in the operation of the City/Port Joint Domain Awareness Center; and

WHEREAS, the amendment of the SAIC contract to include the Phase 2 work will cap the amount SAIC may charge the City at not to exceed two million dollars; and

WHEREAS, Oakland Municipal Code section 2.04.051.B permits the Council to waive the request for proposal/qualifications ("RFP/Q") requirements upon a finding that it is in the best interest of the City to do so; and

WHEREAS, Oakland Municipal Code section 2.04.050.1.5 permits Council to waive the advertising and bidding requirements upon a finding that it is in the best interest of the City to do so; and

WHEREAS, staff recommends it is in the best interests of the City to waive the City's advertising and competitive bidding and request for proposals/qualifications requirements based on the fact that the FY 2009 PSGP supplemental funds must be used by June 30, 2014. Conducting the RFP/Q and selecting a Vendor for Phase 2 work will take approximately 6 months. Having the contract services provided by SAIC, which has the existing Phase 1 DAC project contract through June 30, 2015, will help ensure the FY 2009 PSGP are expended by the grantee's deadline and will facilitate the City's ability to implement Phase 2 of the DAC project efficiently and effectively in order to maintain consistency, cohesiveness and uniformity as well; and

WHEREAS, SAIC will be the prime contractor for Phase 2 of the Domain Awareness Center (DAC) project which will include integration of additional security and situation awareness systems, building of a crime datawarehouse, improve linkage with Fire and Police Dispatch including Mobile Data Terminal feeds, further define/implement work flows for all hazards events in the East bay, upgrade EOC computing systems, provide for surveillance and detection equipment enhancements; and

WHEREAS, the City finds and determines that the services provided pursuant to the agreement authorized hereunder are of a professional, scientific or technical nature and are temporary in nature; and

WHEREAS, the City finds and determines that this contract shall not result in the loss of employment or salary by any person having permanent status in the competitive service; now, therefore, be it

RESOLVED: that the City Administrator or her designee is authorized to accept, appropriate, and administer up to two million dollars (\$2,000,000) of American Recovery and Reinvestment Act (ARRA) supplemental Port Security Grant funds for (PSGP) fiscal years 2009 and 2010 FOR Phase 2 of the joint Port of Oakland/City Domain Awareness Center (DAC) project; and be it

FURTHER RESOLVED: that the City Administrator or her designee is authorized to enter into a Memorandum of Understanding and grant administration agreement with the Port of Oakland to distribute and expend said funds for phase 2 of the system enhancements and integration of the DAC project; and be it

FURTHER RESOLVED: that the City Administrator or her designee to approve the City of Oakland's preliminary spending plan for fiscal years 2009 and 2010 PSGP funds and to administer and expend the supplemental PSGP funds in accordance with the preliminary spending plan and the proposed grant administration agreement; and be it

FURTHER RESOLVED: That the City Administrator or her designee is authorized to amend the City's 2013 contract with Science Applications International Corporation (SAIC) by increasing the amount to be paid up to two million dollars for completion of Phase 2 of the DAC work project, bringing the total contract amount authorized to four million nine hundred thousand dollars (\$4,900,000); and be it

FURTHER RESOLVED: That the City Council finds that pursuant to Oakland Municipal Code sections 2.04.050.1.5 and 2.04.051.B, for the reasons stated above and in the City Administrator's report accompanying this resolution, that it is in the best interests of the City to waive the advertising and bidding requirements and the request for proposal/qualifications (RFP/Q) process for the products and services to be purchased under the proposed contract amendment with SAIC and so waives the requirements; and be it

FURTHER RESOLVED: That the City Administrator or her designee is hereby authorized to execute any amendments or modifications to said Port/City agreement and the Professional Services Contract with Science Applications International Corporation (SAIC) in an amount not to exceed two million dollars (\$2,000,000.00); and be it

FURTHER RESOLVED: During Phase 2, City/Port staff will develop a Privacy and Data Retention Policy that governs the collection, retention, storage and dissemination of information processed by the DAC ensuring the protection of privacy rights of individuals, and will return said policy to the Council for approval no later than March 2014; and be it

FURTHER RESOLVED: The City/Port Joint Domain Awareness Center (DAC) system video data recording, storage and video analytics capability has not been activated and shall not be activated until the City Council approves the Privacy and Data Retention Policy for the City/Port Domain Awareness Center; and be it

FURTHER RESOLVED: The City/Port Joint Domain Awareness Center (DAC) Phases 1 and 2 includes data and video feeds from the following surveillance, security sensor and video analytics sources only: Port Video and Intrusion Detection Cameras, Port of Oakland Vessel Tracking System, City of Oakland traffic cameras, City of Oakland-owned cameras operated by the City in non-residential areas, City of Oakland Shot Spotter Audio Sensor System, and License Plate Recognition systems; and that the addition of any new surveillance, security sensor or video analytics capability, feed or data sources shall require approval of the Council, including confirmation of compliance by the DAC and all City and Port data sources with the City's Privacy and Data Retention Policy to the extent allowed by law; and be it

FURTHER RESOLVED: That funds to complete this project will be drawn from 2123, 20711, PS21, Accounts and Projects to be Determined; and be it.

FURTHER RESOLVED: That the City Administrator or her designee is authorized to accept and appropriate said FY 2009 and FY2010 PSGP Grants funds into U.S. Department of Homeland Security Fund (2123), Emergency Management Services Division (20711) a grant project to be determined, and Emergency Management Service Program (PS21), the full grant funds will be appreciated to the Miscellaneous Federal Grants Accounts 46129; and be it

FURTHER RESOLVED: That the agreement(s) and other actions authorized hereunder shall be reviewed and approved by the Office of the City Attorney for form and legality and filed with the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, JUL 30 2013

PASSED BY THE FOLLOWING VOTE:

AYES - ~~BROOKS~~, GALLO, KAPLAN, KALB, MCELHANEY, ~~REID~~; SCHAFF and PRESIDENT KERNIGHAN - 6

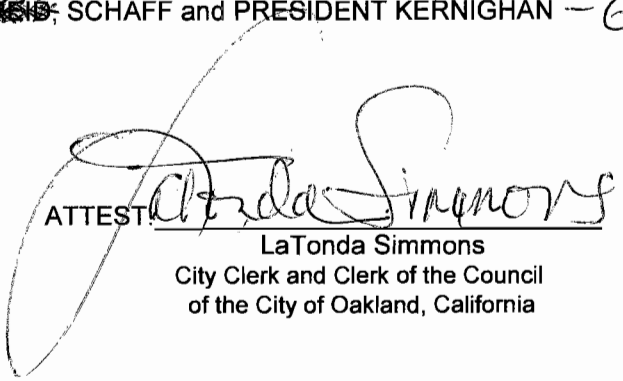
NOES - 0

ABSENT - Reid - 1

ABSTENTION - 0

Excused - Brooks - 1

ATTEST:



LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California